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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON

9 JUSTIN M. ANEST,

10 Plaintiff,

11 vs.

12 OFFICER TUFSRUD and SARGENT
13 COOK,

14 Defendants.

15 NO. CV-06-0169-MWL

16 **ORDER ADOPTING REPORT AND
17 RECOMMENDATION**

18 Magistrate Judge Leavitt filed a Report and Recommendation on April
19 4, 2007, recommending that Defendants' motion for summary judgment (Ct.
20 Rec. 64) be granted and that Plaintiff's complaint be dismissed with
21 prejudice. (Ct. Rec. 79). Neither party submitted timely objections to
22 the Report and Recommendation.

23 Having reviewed the April 4, 2007, Report and Recommendation, and
24 there being no objections thereto, the Court **ADOPTS** the Report and
25 Recommendation (**Ct. Rec. 79**) in its entirety. Accordingly, Defendants'
26 motion for summary judgment (**Ct. Rec. 64**) is **GRANTED** and Plaintiff's
27 complaint is **DISMISSED WITH PREJUDICE**.

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IT IS SO ORDERED. The District Court Executive is directed to enter this order, forward a copy to Plaintiff and counsel for Defendants and **close the file**.

DATED this 8th day of May 2007.

S/ Edward F. Shea
EDWARD F. SHEA
UNITED STATES DISTRICT JUDGE